



Crestone Peak Resources Midstream, LLC

**Wildlife Impact Management Plan (WIMP) AND
Environmental Site Assessment Report
FOR
Lussing Trust Pipeline**

Prepared For:



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Prepared By:



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Wildlife Impact Management Plan Applicability Statement:

This project is located within Colorado Parks and Wildlife (CPW) mapped Pronghorn Winter Concentration Area High-Priority Habitat (HPH). In addition, the project is located within the CPW-recommended 1/8-mile buffer around suitable burrowing owl habitat. This report includes: Best Management Practices (BMPs) that will be implemented as needed to address the HPH and burrowing owl habitat, the overall results of the environmental site assessment for this location, and other applicable recommendations to ensure the protection of other natural resources.

1. INTRODUCTION

RPG Resources (RPG), on behalf of Crestone Peak Resources Midstream, LLC (Civitas Resources, Inc.), conducted an environmental site assessment for the Lussing Trust Pipeline project location to identify any wildlife or other natural resource constraint(s) present within or surrounding the proposed project area. This assessment was conducted in order to ensure Crestone Peak Resources Midstream, LLC's (CPRM) compliance with the City of Aurora Oil & Gas Division requirements, Endangered Species Act (ESA), Colorado Nongame, Endangered, or Threatened Species Conservation Act, Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA), Clean Water Act (CWA), and other applicable requirements and recommendations. This report summarizes the project location, methods, assessment results, and recommendations to avoid or minimize impacts to wildlife and other natural resources.

2. PROJECT LOCATION

CPRM's Lussing Trust Pipeline (Site) is in Section 19 of Township 4 South, Range 64 West in Arapahoe County, Colorado. Boundaries of the Site are defined as the limits of disturbance (LOD), including the permanent easement. The Site is in the Central High Plains, Southern Part Major Land Resource Area (MLRA) of the Western Great Plains Range and Irrigated Region Land Resource Region (LRR; NRCS 2006), and the field-verified surrounding land type is cropland.

3. METHODS

RPG's environmental site assessment included a desktop review of aerial imagery, agency-mapped sensitive natural resources, and a site-specific U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consulting (IPaC) report. Following the desktop review, RPG conducted a windshield and pedestrian field site survey, along with a drone flight of the site and surrounding area on September 13, 2024. The field survey was conducted by a qualified biologist and included a survey for potential raptor nesting sites within ½ mile as well as any burrowing owl habitat / prairie dog colonies within 1/8 mile (660 feet) of the Site (Appendix B). Although the field survey was conducted outside the standard Colorado non-raptor migratory bird breeding season, suitable habitat for non-raptor nesting was also assessed during the site visit. Recommendations to avoid and minimize impacts to wildlife and other sensitive natural resources were provided based on the results of this assessment and the proposed start date.

4. RESULTS & RECOMMENDATIONS

4.1. High Priority Habitats

The Site is located within CPW-mapped High Priority Habitat: Pronghorn Winter Concentration Area (PAWCA).

CPW consultation was completed and BMPs were agreed upon. See Appendix C for more information.

4.2. Bald and Golden Eagles

No bald eagle (*Haliaeetus leucocephalus*) or golden eagle (*Aquila chrysaetos*) nests were observed within ½ mile of the Site, and no eagle activity was observed during the survey. There is suitable eagle nesting habitat (e.g., trees) present within ½ mile of the Site.

There are no CPW-mapped bald eagle winter night roost areas within ½ mile of the Site.

If construction begins between December 1 and July 31, eagle nesting surveys will be conducted by qualified biologists. If a new active eagle nest is established within ½ mile of the Site, a consultation with CPW is recommended to determine the appropriate mitigation measures.

4.3. Burrowing Owls

There is suitable burrowing owl (*Athene cunicularia*) habitat (i.e., black-tailed prairie dog colony) approximately 115 feet west of the Site, as well as approximately 260 feet northwest of the Site. These habitats are within the CPW-recommended 1/8-mile (660-foot) buffer for burrowing owls.

If construction begins between March 15 and October 31, qualified biologists will conduct burrowing owl surveys, in accordance with CPW-recommended protocol.

4.4. Other Raptors

Suitable non-eagle raptor nesting habitat, including ground, trees, and artificial structures (e.g. utility poles and oil and gas structures), were observed within ½ mile of the Site. Two inactive non-eagle raptor nests were observed approximately 0.39 miles east and approximately 0.27 miles southeast of the Site at the time of the field survey.

If construction begins between February 1 and August 15, additional raptor nesting surveys will be conducted by qualified biologists.

4.5. Migratory Birds

The Site assessment was conducted outside the standard Colorado non-raptor migratory bird nesting season. No nests or nesting activity were observed; however, suitable nesting habitat, including surface topography, vegetation, and artificial structures, is present at and immediately surrounding the Site.

If construction begins between April 1 and August 31, migratory bird nesting surveys will be conducted by qualified biologists.

4.6. Threatened, Endangered, and Candidate Species

The USFWS IPaC report listed six (6) federally listed threatened or endangered (T&E) or candidate species that have potential to occur in the geographical area in which the Site is located. However, no suitable habitat for any of these species was observed at the Site during the field survey. These species are addressed below in Table 1.

Table 1. IPaC Report Results & Assessment

Species	Habitat Description	Results & Recommendations
Birds		
Piping plover <i>Charadrius melodus</i> Threatened	The piping plover breeds on bare sand or gravel beaches, sandbars, or islands along rivers, reservoirs, or alkaline wetlands. Limited numbers breed in Colorado.	No suitable habitat present within the Site. No recommended action.
Whooping crane <i>Grus americana</i> Endangered	The whooping crane breeds, nests, migrates, winters, and forages in wetlands, coastal marshes, estuaries, inland marshes, lakes, ponds, wet meadows and rivers, and agricultural fields. <i>There are no known populations currently present in Colorado.</i>	No suitable habitat present within the Site. No river depletions or other impacts to potential downstream habitats expected to occur. No recommended action.
Fish		
Pallid sturgeon <i>Scaphirhynchus albus</i> Endangered	The pallid sturgeon is a bottom-oriented, large river obligate fish that is found in the Missouri and Mississippi rivers and some tributaries. <i>There are no known populations currently present in Colorado.</i>	No suitable habitat present within the Site. No river depletions or other impacts to potential downstream habitats expected to occur. No recommended action.

Insects		
Monarch butterfly <i>Danaus plexippus</i> Candidate	<p>Although Critical Habitat Documents are not currently available for the monarch butterfly, this species almost exclusively utilizes milkweed (<i>Asclepias</i> spp.) for breeding and reproduction. During spring migration, this species will commonly nectar on <i>Coreopsis</i> spp., <i>Viburnum</i> spp. and <i>Phlox</i> spp. Additionally, western populations rely on various native and non-native evergreen and deciduous trees as roost sites during nighttime migration periods. Note: The monarch butterfly is a candidate species and not yet listed or proposed for listing.</p>	<p>No suitable habitat present within the Site.</p> <p>No recommended action.</p>
Flowering Plants		
Ute ladies'-tresses <i>Spiranthes diluvialis</i> Threatened	<p>The Ute ladies'-tresses is primarily found in moist meadows and may also be found in seasonally flooded river terraces, sub-irrigated or spring-fed abandoned stream channels, lakeshores, irrigation canals, berms, levees, irrigated meadows, reservoirs, and other similar habitat.</p>	<p>No suitable habitat present within the Site. No river depletions or other impacts to potential downstream habitats expected to occur.</p> <p>No recommended action.</p>
Western prairie fringed orchid <i>Platanthera praeclara</i> Threatened	<p>The western prairie fringed orchid is a perennial species most often found in unplowed, calcareous prairies and sedge meadows and dependent on moist soils. <i>There are no known populations currently present in Colorado.</i></p>	<p>No suitable habitat present within the Site. No river depletions or other impacts to potential downstream habitats expected to occur.</p> <p>No recommended action.</p>

The Colorado state-listed T&E species that have potential to occur in the same area of Colorado are the burrowing owl, which is discussed above in Section 4.3, and the Preble's meadow jumping mouse, discussed below in Table 2.

Table 2. Colorado State-listed T&E Species Assessment

Species	Habitat Description	Results & Recommendations
Mammals		
Preble's meadow jumping mouse <i>Zapus hudsonius preblei</i> Threatened	The Preble's meadow jumping mouse (PMJM) inhabits well-developed riparian habitat with a dense combination of multi-story vegetation, adjacent and relatively undisturbed grassland habitat, and a nearby water source. The PMJM uses uplands at least as far out as 100 meters beyond the 100-year floodplain.	No suitable habitat present within the Site. Site is outside PMJM Critical Habitat and is surrounded by disturbed cropland. No nearby high-quality riparian habitat. No recommended action.

4.7. Wetlands and Waters of the U.S.

There are no NHD or NWI-mapped wetlands or Waters of the U.S. within 1000' of the Site. No unmapped wetlands or waterbodies were observed during the field survey.

No actions recommended.

4.8. 100-year Floodplain

The Site is not located within any Federal Emergency Management Agency (FEMA)-mapped 100-year floodplain. There is a FEMA-mapped 100-year floodplain approximately 0.32 miles east of the Site. No impacts to floodplains are expected as a result of this project.

No actions recommended.

4.9. Safety and Other Concerns

No safety or other concerns were identified at the Site.

No actions recommended.

SUMMARY TABLE

Natural Resource	Result Summary	Recommendation
High Priority Habitats	The Site is located within one CPW-mapped High Priority Habitat: Pronghorn Winter Concentration Area.	CPW consultation was completed and BMPs were agreed upon. See Appendix C for more information.
Bald and Golden Eagles	No bald eagle (<i>Haliaeetus leucocephalus</i>) or golden eagle (<i>Aquila chrysaetos</i>) nests were observed within ½ mile of the Site, and no eagle activity was observed during the survey. There is suitable eagle nesting habitat (e.g., trees) present within ½ mile of the Site. There are no CPW-mapped bald eagle winter night roost areas within ½ mile of the Site.	If construction begins between December 1 and July 31, eagle nesting surveys will be conducted by qualified biologists. If a new active eagle nest is established within ½ mile of the Site, a consultation with CPW is recommended to determine the appropriate mitigation measures.
Burrowing Owls	There is suitable burrowing owl (<i>Athene cunicularia</i>) habitat (i.e, black-tailed prairie dog colony) approximately 115 feet west of the Site, as well as approximately 260 feet northwest of the Site. These are within the CPW-recommended 1/8-mile (660-foot) buffer for burrowing owls.	If construction begins between March 15 and October 31, qualified biologists will conduct burrowing owl surveys, in accordance with CPW-recommended protocol.
Other Raptors	Two (2) non-eagle raptor nests were observed approximately 0.39 miles east of the Site, and approximately 0.27 miles southeast of the site. There is suitable habitat for non-eagle raptor nesting within ½ mile of the Site.	If construction begins between February 1 and August 15, additional raptor nesting surveys will be conducted by qualified biologists.

Migratory Birds	The Site assessment was conducted outside the standard Colorado non-raptor migratory bird nesting season. No nests or nesting activity were observed; however, suitable nesting habitat, including surface topography, vegetation, and artificial structures, is present at and immediately surrounding the Site	If construction begins between April 1 and August 31, migratory bird nesting surveys will be conducted by qualified biologists.
Threatened, Endangered, and Candidate Species	There is no suitable habitat for any threatened, endangered, or candidate species that may occur within the Site.	No actions recommended.
Wetlands and Waters of the U.S.	There are no mapped wetlands or Waters of the U.S. within the Site. No unmapped wetlands or waterbodies were observed during the field survey.	No actions recommended.
100-Year Floodplain	The Site is not within any FEMA-mapped 100-year floodplain.	No actions recommended.
Safety and Other Concerns	No safety or other concerns were identified at the Site.	No actions recommended.

PHOTOS



1. Facing north from south terminus of easement.



2. Facing east from center of easement.



3. Facing south from north terminus of easement.



4. Facing west from center of easement.

LITERATURE CITED

- Colorado Parks and Wildlife. 2020. Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors. Department of Natural Resources.
- Colorado Parks and Wildlife. Species Profiles. <https://cpw.state.co.us/learn/Pages/SpeciesProfiles.aspx>. Accessed September 2024.
- National Resources Conservation Service. 2006. National Coordinated Major Land Resource Area (MLRA) Version 4.2. U.S. Department of Agriculture, National Soil Survey Center.
- Natural Resources Conservation Service. 2020. Web Soil Survey National Cooperative Soil Survey. <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed September 2024.
- U.S. Fish and Wildlife Service. ECOS Environmental Conservation Online System. <https://ecos.fws.gov/ecp/>. Accessed September 2024.
- U.S. Fish and Wildlife Service. 2016. Draft Revised Recovery Plan for the Northern Great Plains Piping Plover (*Charadrius melodus*).
- U.S. Fish and Wildlife Service. IPaC Information for Planning and Consultation. <https://ecos.fws.gov/ipac/>. Accessed September 2024.
- U.S. Fish and Wildlife Service. 2021. Featured Pollinator Monarch butterfly (*Danaus plexippus plexippus*). https://www.fws.gov/pollinators/features/Monarch_Butterfly.html. Accessed September 2024.

APPENDIX A
Environmental Site Assessment



ENVIRONMENTAL SITE ASSESSMENT



Project Name:	Lussing Trust Pipeline	County, State:	Arapahoe County, CO
Report Date:	9/17/2024	Region:	DJ Basin
Inspection Date:	9/13/2024	Field Name:	Wildcat
Inspector Name:	Kelsie Johnson	Location:	S19 T4S R64W
ESA Type:	Linear Easement	Project Lat-Long:	39.689958, -104.602998

RAPTORS

Bald and Golden Eagle Habitat:	Yes	Status:	TEMPORARILY CLEARED
Bald and Golden Eagle Active Nests:	No		

No bald eagle (*Haliaeetus leucocephalus*) or golden eagle (*Aquila chrysaetos*) nests were observed within ½ mile of the Site, and no eagle activity was observed during the survey. There is suitable eagle nesting habitat (e.g., trees) present within ½ mile of the Site.

Bald Eagle Winter Night Roost/Communal Roost:	No	Status:	CLEARED
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There are no CPW-mapped bald eagle winter night roosts / communal roosts within 1/2 mile of the Site.

*Burrowing Owls and Black-Tailed Prairie Dog Habitat:	Yes	Status:	TEMPORARILY CLEARED
*Burrowing Owl nests:	No		

Suitable burrowing owl (*Athene cunicularia*) habitat (i.e., black-tailed prairie dog colony) was identified approximately 115 feet west of the Site, and approximately 260 feet northwest of the site within the CPW-recommended 1/8 mile (660-foot) species specific buffer.

Other Raptor Habitat:	Yes	Status:	TEMPORARILY CLEARED
Other Raptor Nests:	Yes		

There is suitable non-eagle raptor nesting habitat (e.g., trees and artificial structures) within 1/2 mile of the Site. There are two (2) inactive raptor nests approximately 0.39 miles east of the Site, and approximately 0.27 miles southeast of the Site.

OTHER BIRDS

Grouse or Prairie Chicken High Priority Habitats:	No	Status:	CLEARED
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The Site is not within any grouse or prairie chicken HPHs.

Non-Raptor Migratory Bird Habitat:	Yes	Status:	TEMPORARILY CLEARED
Non-Raptor Migratory Bird Nests:	No		

Suitable non-raptor nesting habitat (e.g., surface topography, vegetation, and artificial structures) is present at and immediately surrounding the Site, no nests or nesting activity were observed during the field survey.

MAMMALS

Big Game High Priority Habitats:	Yes	Status:	BMPs INCLUDED
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The Site is located within CPW-mapped High Priority Habitat Pronghorn Winter Concentration Area (PAWCA). See Appendix C with CPW consultation and agreed upon BMPs.

** Preble's Meadow Jumping Mouse (PMJM) Habitat:	No	Status:	CLEARED
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There is no suitable PMJM habitat at the Site.

Swift Fox Habitat:	No	Status:	CLEARED
Swift Fox Dens:	No		

The Site is not within CPW-mapped swift fox overall range, and no swift fox habitat was observed during the survey.

VEGETATION

**Ute ladies'-tresses orchid (ULTO):	No	Status:	CLEARED
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There is no suitable Ute ladies'-tresses orchid habitat at the Site. Not a constraint.

Colorado State Noxious Weeds - List A,B,C:	Yes	Status:	CLEARED
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Cheatgrass (*Bromus tectorum* L.), a Colorado State List C noxious weed, was identified on the southern end of the Site.

Current Land Use:	Cropland and O&G	Future Land Use:	Cropland and O&G
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ENVIRONMENTAL SITE ASSESSMENT



AQUATIC HABITATS

Aquatic High Priority Habitats:	No	Status:	CLEARED
There are no Aquatic High Priority Habitats within 1000 feet of the Site.			
Wetlands/WOUS:	No	Status:	CLEARED
No wetlands or Waters of the U.S. observed within 1000 feet of the Site. The Site is not located within any FEMA-mapped 100-year floodplain.			

OTHER/SAFETY

Other Issues:	No	Status:	CLEARED
None.			
Safety Issues:	No	Status:	CLEARED
None.			

FIELD DATA COLLECTED

GENERAL COMMENTS

Site Photos?	Yes	There is suitable burrowing owl nesting habitat present within 1/8 mile of the Site. There is suitable eagle, non-eagle raptor, and migratory bird nesting habitat present. Additional surveys are recommended if work operations start within applicable constraint seasons.
Reference Area Photos?	Yes	
Updated Aerial Imagery Taken?	Yes	
Ground Control Points?	Yes	
Wetland Determination Data Form?	No	

Reviewed By: Zachary DeSantis

Title: Environmental Coordinator

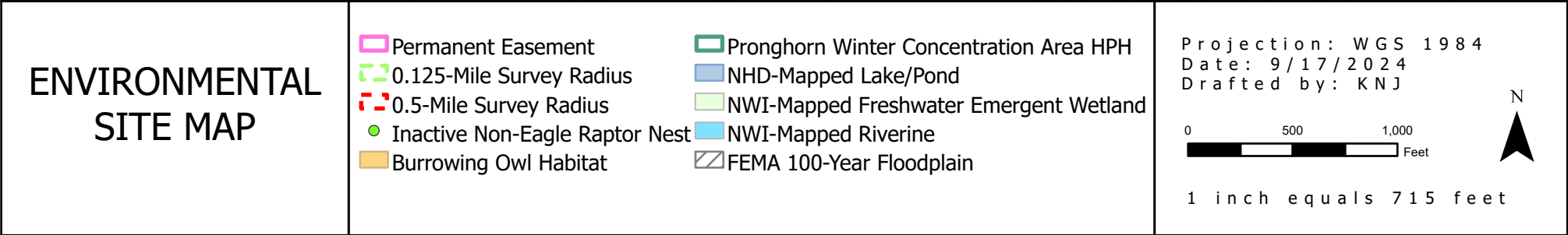
Signature: *Zachary DeSantis*

APPENDIX B
Environmental Site Map

Produced by:



RPG
RESOURCES
a System One company



APPENDIX C

CPW Consultation

Re: Lussing Trust Pipeline Consultation

Hamous-Miller - DNR, Lexi <lexi.hamous-miller@state.co.us>

Fri 9/13/2024 1:59 PM

To:Lilah Hubbard <lhubbard@civiresources.com>

Cc:Marette - DNR, Brandon <brandon.marette@state.co.us>; Travis Harris - DNR <travis.harris@state.co.us>

Hi Lilah,

Thank you for sending us all this information on your plans for the pipeline. CPW agrees with your BMPs and appreciates you consulting with us on the review of this project.

-Stay Wild,

Lexi Hamous, MS (She/Her)
Northeast Region Land Use Coordinator
Colorado Parks and Wildlife



[6060 Broadway, Denver, CO 80216](#)

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Lexi.Hamous-Miller@state.co.us

[CPW's Energy Webpage](#)



https://twitter.com/cpw_ne



On Wed, Sep 11, 2024 at 3:03 PM Lilah Hubbard <lhubbard@civiresources.com> wrote:

Hi Brandon and Lexi,

Crestone Peak Resources Midstream, LLC (CPRM) is preparing materials for the Lussing Trust Pipeline application to be submitted to the City of Aurora. This pipeline overlaps a Pronghorn Winter Concentration Area HPH, so I am reaching out to consult CPW (per Aurora regulations). Please find BMPs and project information below and attached, for your review. (No ECMC permits are required as part of this pipeline project.)

Project Information & Best Management Practices (BMPs)

- This project is located in Sec 19 of T4S R64W in Aurora, Arapahoe County.
- This midstream project will service the Lussing Trust North pad location. The pad location was outside HPH at the time of siting (2022 HPH), but later overlapped the updated 2023 HPH layers. CPW requested a consultation, which was held on 3/19/24 (CPW email summary attached for reference).
- The pipeline will be approximately 2000 feet.
- The pipeline will be located in an existing right-of-way (ROW).
- The pipeline easement will be adjacent to a main public road, Watkins Road (within ~65 ft).
- Pipeline construction/installation is anticipated to take *less than two weeks*.
- Pipeline construction will only occur during daylight hours and will not occur during extreme winter conditions.
- Pipeline construction is currently estimated to begin in March 2025 (timing is dependent on development operations at the Lussing Trust North pad location). If there is opportunity to complete part

of the project (i.e., if permits are approved) prior to the pronghorn winter season (Jan 1), then CPRM will begin construction before the season begins.

- Escape ramps will be installed while the pipeline trench is open (for both human and wildlife safety). Trenches will not be left open for more than ~one week.
- The approved City of Aurora seed mix that will be used for this project is attached to this email.
- Raptor and other migratory bird nesting surveys will be conducted by third-party wildlife consultants prior to construction, based on applicable nesting seasons.

Please let me know if CPW has questions/feedback or would like to discuss further.

Thank you,

Lilah Hubbard

Natural Resource Specialist

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